

Amendments to the Drawings:

The attached replacement drawing sheets makes changes to Figs. 1, 5-7, 11 and 12 and replaces the original sheets with Figs. 1-12.

Attachment: Replacement Sheets

REMARKS

Claims 1-20 are pending in this application. By this Amendment, claims 1-18, Figs. 1, 5-7, 11 and 12 and the specification are amended and claims 19 and 20 are added. Figs. 1 and 7 and the specification are amended as requested by the Office Action. Support for amendments to Fig. 1 can be found in the specification, for example, at page 6, lines 20-26, and support for amendments to Fig. 7 can be found in the specification, for example, at page 6, lines 20-26. Support for the amendments to claims 1 and 11 can be found in the specification, for example, at page 6, lines 20-26. Claims 1-18 are amended for form. Support for new claims 19 and 20 can be found in the specification, for example, at Figs. 1 and 2 and the corresponding disclosure in the specification. No new matter is added.

I. The Abstract Satisfies All Formal Requirements

The Abstract is objected to for exceeding 150 words in length. By this Amendment, the Abstract is amended to be less than 150 words. Withdrawal of the objection is thus respectfully requested.

II. The Drawings Satisfy All Formal Requirements

The drawings are objected to because of descriptive text in the drawings. By this Amendment, descriptive text is removed from all the drawings. Withdrawal of the objection is thus respectfully requested.

The drawings are objected to because feature 61 has not been identified and feature 63 has not been described. By this Amendment, feature 61 is added to Fig. 7 and feature 63 has been removed. Withdrawal of the objection is thus respectfully requested.

The drawings are objected to because the Office Action asserts that "the features described in the second embodiment of Figs. 7-12 do not correspond with the showing in the drawings." By this Amendment, Fig. 7 and the specification are amended responsive to the objection.

The Office Action asserts that the center of gravity has not been identified as claimed in claims 1 and 11. By this Amendment, the center of gravity is identified in Fig. 1.

Withdrawal of the objection is thus respectfully requested.

The Office Action asserts that various widths and depth orientations claimed in the claims should be shown. By this Amendment, the drawings are amended to show the various widths and depth orientations. Withdrawal of the objection is thus respectfully requested.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1, 11 and 12 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2003/0205550 to Prevot et al. ("Prevot"); rejects claims 2-6, 13 and 14 under 35 U.S.C. §103(a) over Prevot in view of WO 02/057146 to Bourque et al. ("Bourque"); and rejects claims 7-10 and 15-18 under 35 U.S.C. §103(a) over Prevot in view of U.S. Patent Application Publication No. 2004/0164046 to Kelley ("Kelley"). These rejections are respectfully traversed.

Prevot, Bourque and Kelley, alone or in a permissible combination, do not teach or render obvious every feature of claims 1 and 11. None of the applied references teaches or renders obvious "a waist section having a cross-section that is symmetric about two perpendicular axes [and] ... having a diameter smaller than a largest diameter of the upper body," as recited in amended claim 1 (emphasis added).

Prevot merely discloses a container that includes an upper body, which includes a separate rigid grip portion 24 (see Prevot, paragraphs [0013] and [0014]). However, the grip portion 24 of Prevot is not symmetric across two perpendicular axes (see Prevot, Figs. 3 and 4). Rather, the grip portion 24 of Prevot "is of a generally irregular trapezoidal shape" (see paragraph [0015] of Prevot). Therefore, Prevot does not disclose waist section of independent claim 1.

Neither Bourque nor Kelley remedies the above-described deficiencies of Perot. Bourque and Kelley are merely cited by the Office Action for their alleged teaching of "the particular dimensional relations." However, neither reference teaches or renders obvious a waist section that contains the center gravity, has a rib, and has a diameter smaller than a largest diameter of the upper body, as recited in independent claim 1. The waist portion 75 of Bourque is positioned laterally adjacent to the grip portion 65 (see Bourque, col. 5, lines 64-65). Furthermore, the center of gravity for a filled container of Bourque is in the region R, as shown in Fig. 2, which does not have a diameter smaller than a largest diameter of the upper portion (Bourque, col. 5, lines 18-29). Moreover, Kelley does not disclose a waist section with a grip, as recited in claim 1.

The applied references also do not teach or render obvious "the rib being structured not to absorb a negative pressure in the container and being structured to surround the container," as recited in amended claim 11 (emphasis added).

The Office Action asserts that the undulation 24b of Prevot corresponds to the claimed "rib" (see Office Action, page 6, item 8). This assertion is respectfully traversed.

Prevot merely discloses that a pair of vertically spaced horizontally extending undulations 24b and 24c are formed on the grip wall portion 24 (see Prevot, paragraph [0014]). However, the undulation is merely a protrusion formed on the grip wall portion, and does not surround the alleged container (see Fig. 1 of Prevot).

Bourque and Kelley do not remedy the above-described deficiencies of Prevot. Bourque and Kelley are merely cited by the Office Action for only their alleged teaching of "the particular dimensional relations." As asserted above, neither Bourque nor Kelley discloses a rib that contains the center of gravity and surrounds the container, as recited in independent claim 11.

Further, none of the applied references teaches or renders obvious a body having a substantially rectangular cross-section, as recited in independent claims 1 and 11. The Office Action fails to identify support for the claimed rectangular cross-section (see Office Action, page 6).

Thus, for at least these reasons, claims 1 and 11 are patentable over Prevot, Bourque and Kelley. Further, claims 2-10 and 12-20, which respectively depend from claims 1 and 11, are also patentable over the applied references for at least the reasons discussed above with respect to independent claims 1 and 11, as well as for additional features they recite.

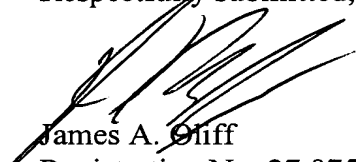
Withdrawal of the rejections is respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:PTM/hs

Attachments:

Amended Abstract
Replacement Sheets
Petition for Extension of Time

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